

**REMARKS**

Claims 1, 3, 6, 8, 11, 13, 16 and 18 have been amended. The amended claims incorporate limitations of the now-canceled claims, and also include the phrase “a kind of error information.” Support for the amendment appears, for example, in Step S6, and on page 16, lines 2-13 of the specification. Claims 2, 4, 7, 9, 12, 14, 17 and 19 have been canceled. Claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20 remain pending in the present application.

Claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tosaki in view of Inchalik. The rejection is respectfully traversed.

Contrary to the claimed invention, Tosaki does not teach or suggest a method or system for determining the authorization of a rewritable optical disk with the same reliability as in a rewriteable optical disk drive when the rewriteable optical disk is inserted in a read-only optical disk drive that “when the acquisition of [a] first specific information from [a] medium is impossible and the acquisition of [a] second specific information from the medium is possible, the authorization of the medium is determined based on both a kind of error information obtained in the first acquiring step and the acquired second specific information,” as recited in amended claim 1.

In addition, in no way does Inchalik cure the shortcomings of Tosaki. Instead, Inchalik refers to an information transferring method. In fact, Inchalik does not even mention such a limitation. Thus, the cited combination does not teach a method or system for determining the authorization of a rewritable optical disk with the same reliability as in a rewriteable optical disk drive when the rewriteable optical disk is inserted in a read-only optical disk drive “when the acquisition of the first specific information from the medium is impossible and the acquisition of the second specific information from the medium is possible, the authorization of the medium is determined based on both a kind of error information obtained in the first acquiring step and the acquired second specific information.” Therefore, Tosaki and Inchalik when combined as suggested by the Office Action do not teach or suggest all limitations of the claimed invention.

Applicant respectfully submits that the cited combination fails to disclose, teach or suggest all of the limitations of the claim 1 invention. Therefore, the cited combination does not render obvious the limitations of claim 1. Claims 3, 6, 8, 11-16 and 18 recite similar limitations and are allowable over the cited combination for at least the same reasons. Claims 5, 10 and 20 depend from claims 3, 8 and 18 and are allowable along with claims 3, 8 and 18.

Accordingly, Applicant respectfully requests that the § 103(a) rejection be withdrawn and claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18 and 20 be allowed.

In view of the above, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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